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Attorneys for Defendant
ALLIED MANAGEMENT, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RAYMOND R. HORWATH, THE WHEAT
BEER COMPANY, L.P. and STARR
MILANO, INC.,

Plaintiffs,

v.

ALLIED MANAGEMENT, INC., ADLER
FELS WINERY, LLC, DAVID COLEMAN
and AMERIVINE, INC., and DOES 1-50.

Defendants.

Case No. C 06 03134 CRB

**SECOND STIPULATION EXTENDING
THE TIME FOR DEFENDANTS TO
RESPOND TO THE COMPLAINT**

Judge: Hon. Charles R. Breyer
Place: Courtroom 8

The parties hereto hereby stipulate and agree, through their counsel of record, as follows:

WHEREAS, pursuant to the agreement of the parties, a first stipulation was filed in this action extending the time to August 21, 2006 for the Defendants to respond to the Complaint so that the parties could engage in settlement discussions;

WHEREAS, the parties have made substantial progress in their settlement discussions and believe that further extending the Defendants' time to respond to the Complaint will facilitate these settlement efforts;

1 WHEREAS, the parties have agreed to further extend the Defendants' time to respond to the
2 Complaint until September 11, 2006; and
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4 **IT IS SO STIPULATED.**
5

6 DATED: August⁷, 2006

NIXON PEABODY LLP

7
8 By: 

PATRICK T. MICHAEL
JANELLE SMITH
Attorneys for Defendant
ALLIED MANAGEMENT, INC.

11
12 DATED: August⁶, 2006

CARLE MACKIE POWER & ROSS LLP

13
14 By: 

JAY M. BEHMKKE
DAWN M. ROSS
GREGORY WALSH
Attorneys for Plaintiffs
RAYMOND R. HORWATH, THE
WHEAT BEER COMPANY, L.P.

16
17
18 DATED: August , 2006

BAKER AND RANNELLS, PA

19
20 By: _____

NEIL B. FRIEDMAN
Attorneys for Defendants
ALLIED MANAGEMENT, INC., ADLER
FELS WINERY, LLC, DAVID COLEMAN
and AMERIVINE, INC.,
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9 PATRICK T. MICHAEL
10 JANELLE SMITH
11 Attorneys for Defendant
ALLIED MANAGEMENT, INC.

12 DATED: August , 2006

CARLE MACKIE POWER & ROSS LLP

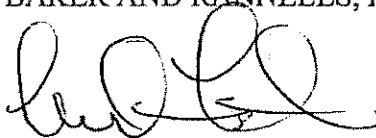
14 By:

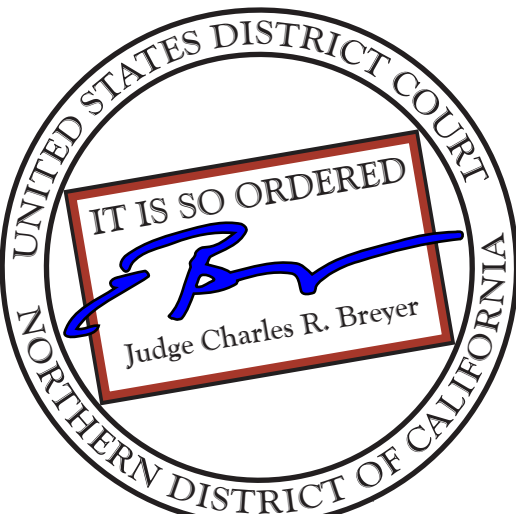
15 JAY M. BEHMKKE
16 DAWN M. ROSS
17 GREGORY WALSH
Attorneys for Plaintiffs
RAYMOND R. HORWATH, THE
WHEAT BEER COMPANY, L.P.

18 DATED: August 16, 2006

BAKER AND RANNELLS, PA

20 By:

21 
22 NEIL B. FRIEDMAN
23 Attorneys for Defendants
24 ALLIED MANAGEMENT, INC., ADLER
25 FELS WINERY, LLC, DAVID COLEMAN
26 and AMERIVINE, INC.,



August 21, 2006